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EX-2004-EX-01-BE

6 Attorneys for Plaintiffs ROGELIO SERRATO,
7 JULIAN SERRATO AND ISRAEL SERRATO

8 **UNITED STATES DISTRICT COURT**

9 **NORTHERN DISTRICT OF CALIFORNIA**

10 ROGELIO SERRATO, DECEASED, THROUGH)
11 HIS SUCCESSORS IN INTEREST, JULIAN)
12 SERRATO and ISRAEL SERRATO, minors, by)
and through their grandmother and Next Friend,)
LISA MAGDALENO; and JULIAN SERRATO)
13 AND ISRAEL SERRATO, by and through their)
Next Friend, LISA MAGDALENO, individually.)

No: C11-03642 RMW (PSGx)

Hon. Ronald M. Whyte

14)
Plaintiffs,)
15 vs.)

**STIPULATION AND
() ORDER
SETTING BRIEFING AND
HEARING SCHEDULE FOR
PLAINTIFFS' MOTION FOR
PARTIAL SUMMARY
JUDGMENT**

16 MONTEREY COUNTY, a public entity, SHERIFF)
17 SCOTT MILLER, individually and in his official)
capacity, CAPTAIN CHARLES MONARQUE,)
individually and in his official capacity;)
COMMANDER KEVIN OAKLEY, individually;)
SERGEANT GARRETT SANDERS, individually;)
SERGEANT JOSEPH BANUELOS, individually;)
SERGEANT RANDY RAGSAC, individually;)
DETECTIVE AL MARTINEZ, individually;)
DEPUTY MARK SIEVERS, individually, and)
DOES 1-10, individually, jointly and severally.)

22)
Defendants.)

23 *Related with:* /)

24 RITA SERRATO, et al.,)

25 vs.)

26 MONTEREY COUNTY, et al.)

27 (No. C-11-4106 RMW))

1 All parties, by and through their attorneys, hereby stipulate to and request that the Court
2 continue the hearing on Plaintiffs' Motion for Partial Summary Judgment for one week, from
3 February 15, 2013 to February 22, 2013, due to the fact that Michael Haddad and Julia Sherwin,
4 lead counsel for Rogelio Serrato, Deceased, Julian Serrato, and Israel Serrato, will be out of state on
5 the date currently set for hearing.
6

7 Further, at Defendants' request, all parties hereby stipulate to extend the briefing deadlines
8 on Plaintiffs' Motion for Partial Summary Judgment by one week, consistent with the requested
9 February 22 hearing date, so that Defendants' response in opposition to Plaintiffs' motion will be
10 due on February 1, 2013, and Plaintiff's reply brief will be due on February 8, 2013.

11 Dated: January 22, 2013

HADDAD & SHERWIN

13 /s/ Gina Altomare

14 GINA ALTOMARE
15 Attorneys for Plaintiffs JULIAN SERRATO and
16 ISRAEL SERRATO through their Next Friend,
17 LISA MAGDALENO

17 Dated: January 22, 2013

18 THE LAW OFFICES OF JOHN L. BURRIS

19 /s/ Benjamin Nisenbaum*

20 BENJAMIN NISENBAUM
21 Attorneys for Plaintiffs I.S. and D.B. through
22 their Guardian Ad Litem EVELYN BELTRAN

23 Dated: January 22, 2013

24 FERGUSON, PRAET & SHERMAN

25 /s/ Bruce D. Praet*

26 BRUCE D. PRAET
27 Attorneys for Defendants

28 * Mr. Nisenbaum and Mr. Praet provided their consent that this document be electronically filed.

1 O ORDER

2 Pursuant to the stipulation of all parties to this action, this Court hereby continues the
3 hearing on Plaintiffs' Motion for Partial Summary Judgment to February 22, 2013, at 9:00 a.m.
4 Further, this Court hereby adopts the above-stipulated briefing deadlines. Defendants' response in
5 opposition to Plaintiffs' motion shall be filed no later than February 1, 2013, and Plaintiff's reply
6 brief shall be filed no later than February 8, 2013.
7

8
9 IT IS SO ORDERED.

10
11 FEB 28
12

13 DATED

Ronald M. Whyte
14 UNITED STATES DISTRICT JUDGE
RONALD M. WHYTE